

**THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

COMMONWEALTH OF )  
PENNSYLVANIA, )  
                    )  
                    Plaintiff, )  
v.                   )                      Civil Action No. 2:17-cv-04540 (WB)  
                    )  
DONALD J. TRUMP, in his official )  
capacity as President of the United States; )  
ALEX M. AZAR II, in his official )  
capacity as Secretary of Health and )  
Human Services; UNITED STATES )  
DEPARTMENT OF HEALTH AND )  
HUMAN SERVICES; STEVEN T. )  
MNUCHIN, in his official capacity as )  
Secretary of the Treasury; UNITED )  
STATES DEPARTMENT OF THE )  
TREASURY; RENE ALEXANDER )  
ACOSTA, in his official capacity as )  
Secretary of Labor; and UNITED STATES )  
DEPARTMENT OF LABOR, )  
                    )  
                    Defendants.<sup>1</sup> )  
                    )  
\_\_\_\_\_  
                    )

**NOTICE OF APPEAL**

PLEASE TAKE NOTICE that the Defendants hereby appeal to the United States Court of Appeals for the Third Circuit from the Court's preliminary injunction opinion [ECF No. 59] and order [ECF No. 60], which were both issued on December 15, 2017.

Dated: February 6, 2018

Respectfully Submitted,

CHAD A. READLER  
Acting Assistant Attorney General

ETHAN P. DAVIS  
Deputy Assistant Attorney General

JENNIFER D. RICKETTS  
Director, Federal Programs Branch

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<sup>1</sup> Pursuant to Fed. R. Civ. P. 25(d), Alex M. Azar II is substituted as a defendant in his official capacity for Eric D. Hargan.

JOEL McELVAIN  
Assistant Director, Federal Programs Branch

/s/ Justin M. Sandberg  
JUSTIN M. SANDBERG (IL Bar# 6278377)  
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**CERTIFICATE OF SERVICE**

I hereby certify that, on February 6, 2018, a copy of the forgoing document was electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

DATED this 6th day of February, 2018.

*s/ Justin M. Sandberg*  
JUSTIN M. SANDBERG  
Senior Trial Counsel  
United States Department of Justice